

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Sri M.Satyanarayana, Assistant Commissioner of Prohibition and Excise – Notional promotion to the post of Assistant Commissioner of Prohibition and Excise on par with his junior in the panel year 2007-2008 – Orders - Issued.

REVENUE (EXCISE-I) DEPARTMENT

G.O.Ms.No. 480

Dated:25.04.2011

Read the following:

1. From the CPE, Hyderabad Letter Cr.No.5644/2009/CPE/A2, dated 3.7.2009.
2. U.O. Note No.21113/Ex.I(1)/2009, dated 18.02.2011.
3. Proceedings of the Review Screening Committee held on 16.03.2011 received through U.O. Note No.6058/DPC.I/2011-1, dated 16.03.2011.

* * *

ORDER:

In the reference 1st read above, the Commissioner of Prohibition & Excise, A.P., Hyderabad has stated that the Screening Committee for the panel year 2001-2002 included the name of Sri M. Satyanarayana, Prohibition and Excise Inspector in the panel for promotion as Assistant Prohibition & Excise Superintendent but deferred the promotion since charges were pending against him at that point of time. Subsequently, the charge was proved in the enquiry and a punishment of stoppage of two annual grade increments with cumulative effect was inflicted on Sri M. Satyanarayana, Prohibition & Excise Inspector on 2.8.2005. Aggrieved by the same the individual filed O.A.No.2849/2006 praying the Hon'ble Tribunal to set aside the punishment imposed on him and to issue direction to promote him as Asst. Prohibition & Excise Superintendent. The Andhra Pradesh Administrative Tribunal, in its interim order dated 4.5.2006 directed to keep one post of Assistant Prohibition and Excise Superintendent vacant in Multi-zone-I.

2. The Commissioner of Prohibition & Excise has further stated that the next Screening Committee held on 6-5-2006 for preparation of Adhoc panel for the panel year 2005-06 had considered the case of Sri M. Satyanarayana, Prohibition and Excise Inspector but not recommended him for promotion since punishment was in force. However, one post of Asst. Prohibition & Excise Superintendent has been kept vacant as per the orders of the Andhra Pradesh Administrative Tribunal in O.A.No.2849/2006 dated 4-5-2006. Thereafter, the Hon'ble Andhra Pradesh Administrative Tribunal while setting aside the orders of punishment, allowed the O.A.No.2849/2006 filed by Sri M.Satyanarayana, Prohibition & Excise Inspector on 5.3.2007 and directed the respondents to issue consequential benefits in accordance with G.O.Ms.No.424 promoting the applicant to the next higher post on par with his juniors. Accordingly, Government have dropped further action against the individual vide Govt. Memo No.13734/Vig.V(1)/2007, Dt: 05.03.2008.

3. The Commissioner of Prohibition & Excise has further stated that the Review Screening Committee held on 15.4.2008 recommended the name of that Sri M. Satyanarayana, Prohibition & Excise Inspector at Sl.No.11 in the approved panel fit for promotion as Asst. Prohibition & Excise Superintendents in Multi Zone-I for the panel year 2001-2002 i.e., above the name of Sri P. Sreemannarayana, who was promoted as Asst. Prohibition & Excise Superintendent on 5.8.2002 in the panel year 2001-2002. He was assigned date of regularization as 14.8.2002 with reference to the arising of

Contd.....P.2.

substantive vacancy. As such the name of Sri M. Satyanarayana was proposed to be included at Sl.No.9 in the final seniority list of Asst. Prohibition & Excise Superintendents of MZ-I and at Sl.No.19-A in the final integrated seniority list of Asst. Prohibition & Excise Superintendents dated 17.11.2007, subject to the out come of the decision in OA. No. 5776/2008 filed by Sri A. Ramulu, P&ES and Judgement in SLP(C) No.9135/2004 pending in the Hon'ble Supreme Court. Subsequently Sri. M. Satynanarayan was promoted as P&ES notionally w.e.f. 31.12.2005 in the panel year 2005-06 on par with his junior Sri Ramesh Babu Vide G.O.Ms. No. 147, Rev (ExI) Dept.Dt: 12.02.2009.

4. The Commissioner of Prohibition and Excise, Hyderabad has also stated that the Review Screening Committee which met on 29-01-2008 included the name of Sri M.Ramesh Babu, who is junior to Sri M. Satyanarayana, in the panel of Prohibition and Excise Superintendent for promotion to the post of Assistant Commissioner of Prohibition and Excise in the panel year 2007-08 against the SC(W)-RP-47 and he was accordingly promoted as Assistant Commissioner of Prohibition and Excise duly invoking Rule -10(a) of APS&SS Rules, Vide G.O.Rt. No. 1805, Rev (Ex-I) Dept, Dt: 16.09.2008.

5. The Commissioner of Prohibition and Excise has therefore, requested the Government to place the name of Sri M. Satyanarayana, Assistant Commissioner of Prohibition and Excise before the Review Departmental Promotion Committee for considering him for notional promotion to the post of Assistant Commissioner of Prohibition and Excise in the panel year i.e., 2007-2008 in which his juniors were promoted.

6. In view of the above it was decided to consider the proposal of the Commissioner of Prohibition and Excise, Hyderabad for considering notional promotion of Sri M.Satyanarayana, P&ES for inclusion in the panel year 2007-08 against SC(W)-RP-47 in place of Sri M. Ramesh Babu- SC by placing the matter before Review DPC by invoking Rule-10(a) of AP.S&SS Rules.

7. A meeting of the Review Screening Committee was held on 16.03.2011. The Committee, after going through the ACRs, relevant records and other material papers relating to Sri M..Satyanarayana-SC and after making an overall assessment of his service record and work done, has recommended that he is eligible for notional promotion in the category of Assistant Commissioner of Prohibition and Excise on par with his junior and accordingly, recommended that the name of Sri M. Satyanarayana be included against SC(W)-RP-47 at Sl.No. 16 in place of Sri M.Ramesh Babu-SC i.e below the name of Sri. K. Nageswara Rao (Sl.No. 15) and above the name of Sri K. Bhaskara Rao(Sl.No-17) in the panel of Prohibition and Excise Superintendents for the panel year 2007-08 for notional promotion to the category of Assistant Commissioner of Prohibition and Excise in Prohibition and Excise Department while deleting the name of Sri. N. Ramesh Babu- SC from the said panel.

8. Government, after careful examination of the matter hereby accept the above recommendation of the Review Screening Committee held on 16.03.2011 and decided to include the name of Sri. M. Satyanarayana, Assistant Commissioner of Prohibition and Excise for notional promotion in the category of Assistant Commissioner of Prohibition and Excise for the panel year 2007-08 against SC(W)-RP-47 at Sl.No.16 in place of Sri N. Ramesh Babu SC i.e below the name of Sri K. Nageswara Rao(Sl.No.15) and above the name of Sri K.Bhaskara Rao(Sl.No. 17).

::3::

9. Accordingly, under Rule 10(a) of Andhra Pradesh State & Subordinate Service Rules, 1996 Sri M.Satyanarayana, Assistant Commissioner of Prohibition and Excise is hereby promoted as Assistant Commissioner of Prohibition and Excise notionally against SC(W)-RP-47 at Sl.No. 16 in place of Sri M.Ramesh Babu in the panel year 2007-2008 i.e below the name of Sri K. Nageswara Rao(Sl.No.15) and above the name of Sri K.Bhaskara Rao(Sl.No. 17) and the name of Sri N. Ramesh Babu is hereby relegated to the subsequent panel year i.e 2009-2010 and recasted at Sl. No. 4 against SC. RP-52 in the panel of Prohibition and Excise Superintendent fit for promotion to the post of Assistant Commissioner of Prohibition and Excise. Sri N. Ramesh Babu, Assistant Commissioner of Prohibition and Excise has retired from public service on 30.04.2010 on attaining the age of superannuation.

10. The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary further action in the matter.

11. The above promotion shall be subject to the outcome of SLPs /WPs /OAs /CAs /RPs etc., pending in the Hon'ble Supreme Court/ High Court/Tribunal as the case may be.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P., Hyderabad
The individual through CPE, A.P., Hyderabad
Copy to:
The GA (DPC-I) Department
The PS to M(Excise& Proh) /
Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER